

## **MICHIGAN AERONAUTICS COMMISSION**

Minutes of Meeting

Lansing, Michigan

March 27, 2008

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Pursuant to Section 31 of Act 327 of the Public Acts of 1945, the Commissioners of the Michigan Aeronautics Commission (MAC), created by said act, met in the Michigan Aeronautics Auditorium on Thursday, March 27, 2008, commencing at the hour of approximately 10:00 a.m.

### Members Present

Joyce Woods, Chair  
Sidney Adams, Jr., Vice Chair  
James Collins, Commissioner  
Leon Hank, Designee - MDOT  
Dennis Fedewa, Designee – MDNR  
Robert Johnston, Designee – DMVA  
Rob Abent, MAC Commission Director

### Members Absent

J. William Prochazka, Commissioner  
Terry Everman, Commissioner  
Daniel Atkinson, Designee - MSP

### Staff

Barbara Burris, Executive Division  
Rick Hammond, Airports Division  
Pauline Misjak, Aviation Services  
David Baker, Airports Division  
Gerry Edwards, Aviation Services  
Mark Noel, Airports Division

### Also Present

David Brickey, Designated House Counsel  
Jim Koslosky, Gerald R. Ford International  
Kent Maurer, Jackson County  
David DiMaria, Willow Run  
Susy Avery, Wayne Co. Airport Authority  
Jon Bayless, Abrams Municipal  
Karl Randall, Pontiac  
Dan Otto, Capital City Airport

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A list of all others present is attached to the official minutes.

## I. OPENING REMARKS

The March 27, 2008, Aeronautics Commission meeting was called to order by Chair Joyce Woods at 10:10 a.m. She welcomed the many assembled.

For the record, she noted the absences of Commissioners Prochazka and Everman and Statutory Member Atkinson. She recognized David Brickey, Assistant Attorney General, appearing on behalf of House Counsel Pat Isom. She asked those present to welcome newly appointed statutory member Robert Johnston, representing Maj. Gen. Thomas Cutler, Director of the Department of Military and Veterans Affairs (DMVA). She noted that Gen. Johnston serves as the Commander of the Michigan Air National Guard. Gen. Johnston is a Command Pilot with over 3600 hours, having flown both F-4s and F-16s.

Gen. Johnston thanked the Chair for the warm welcome. He stated that in addition to his military service, he also flies commercially and was happy at having been asked to represent the Department of Military and Veterans Affairs on the Commission.

Vice Chair Adams asked that two gentlemen seated in the audience also be recognized.

Mr. Bruce Smith, Mayor of Marshall, and Mr. Bill Ross, representing the airport board, introduced themselves to those assembled. They were welcomed by the Chair. In addition, the Chair recognized Jim Koslosky, representing the Michigan Association of Airport Executives, as well as Airport Managers Karl Randall, Pontiac; Kent Maurer, Jackson County (accompanied by Steve Wellman); and Dan Otto, Capital City Airport.

## II. COMMISSION BUSINESS

### A. Minutes of January 30, 2008

Turning to the agenda, the Chair entertained a motion to approve the minutes of the meeting held January 30, 2008, pending correction or change.

It was moved by Commissioner Adams, with support from Commissioner Collins, to approve the minutes (Exhibit A) as transcribed. The MOTION CARRIED.

The Chairman called on Airports Funding Manager Dave Baker to present the 38 airport improvement projects pending Commission approval.

Preliminary to his presentation, Mr. Baker indicated that many of the projects presented this date would be funded with 2008 money, albeit the funding for '08 is still awaiting approval in the Legislature; that the requests being presented are in anticipation of the funding gaining approval. Likewise, Mr. Baker observed, the same is true for the federal reauthorization.

B. Federal/State/Local Projects

Airport Name & Associated City/County	Project Description	Federal \$	State \$	Local \$	Total \$
Ann Arbor Municipal Ann Arbor	Supplemental transfer for SRE building and ALP Update	150,000	32,812	4,688	187,500

With respect to the project at Ann Arbor, Mr. Baker noted that the Airport Layout Plan includes an extension of the runway from 3500 feet to 4300, which, he stated, will be a good thing for the area as well as aeronautics in general.

Huron County Memorial Bad Axe	Design of parallel taxiway for Runway 17/35; Jet A fuel farm expansion; Rehab terminal parking area	150,000	3,947	3,948	157,895
Southwest Regional Benton Harbor	Final design of Runway 9/27 & taxiway extension, incl. Sand Creek culvert	328,000	71,750	10,250	410,000
Bois Blanc Island Bois Blanc	Environmental assessment and wetland delineation	109,250	2,875	2,875	115,000
Charlevoix Municipal Charlevoix	Snow removal equipment; ALP update; crack sealing; paint marking	380,000	10,000	10,000	400,000
Cheboygan County Cheboygan	Design of crosswind runway realignment, extension & paving, connector taxiway to hangar area & approach clearing; crack sealing; paint marking	85,561	18,716	2,674	106,951
Detroit Metro Wayne Co Detroit	2008 Letter of Intent	18,885,974	0	6,295,325	25,181,299
Willow Run Detroit	RSA improvements Part 3, Rwys 5R, 5L & 9R; RSAT improvements	8,790,557	231,330	231,331	9,253,218
Delta County Escanaba	Easement acquisition & clearing for Rwy 18 approach; relocate fuel facility; renovate existing sand storage bldg; construct SRE bldg.	1,547,393	40,721	40,721	1,628,835
Bishop International Flint	Design of Taxiway B and terminal ramp improvements; sand storage building; land acquisition	2,605,487	68,565	68,566	2,742,618
Gaylord Regional Gaylord	Beacon relocation; apron, SRE bldg & terminal parking lot improvements; update ALP	150,000	3,947	3,948	157,895

Gladwin Zettel Memorial Gladwin	Crack sealing; paint marking; install new fuel facility	155,209	4,084	4,085	163,378
Gerald R. Ford International Grand Rapids	Land acquisition reimbursement; ARFF vehicle, SRE; design of Twy Y & perimeter road reconstruction; design of GA ramp	4,047,000	106,500	106,500	4,260,000
Grayling Army Airfield Grayling	Construct new civilian area – Phase II	150,000	32,812	4,688	187,500
Greenville Municipal Greenville	Terminal area site work; terminal demolition; electrical vault; paint marking; crack sealing	160,399	4,211	4,211	168,841
Grosse Ile Municipal Grosse Ile	Rehab taxiways C, E & F, incl. paved shoulders & lighting	1,900,000	50,000	50,000	2,000,000
Houghton County Memorial Hancock	Land acquisition reimbursement; rehab airport entrance road (Phase I); ARFF vehicle; design runway 7/25 reconstruction; design ARFF bldg expansion; acquire SRE	1,017,694	26,781	26,782	1,071,257
Gogebic-Iron County Ironwood	Terminal apron rehabilitation; crack sealing	104,000	22,750	3,250	130,000
Jackson County Reynolds Jackson	Runway 14/32 extension – Phase II; land acquisition	2,500,000	65,789	65,790	2,631,579
Capital City Lansing	Exhibit A update; terminal area feasibility study; land acquisition Phase III; construct twy to east ramp, twy G & ARFF road resurfacing; FAA reimbursable agreement; road & county drain relocation; Rwy 28L extension (500') Phase II	10,862,416	290,589	470,591	11,623,596
Mason County Ludington	Rehabilitate MIRL & signs for Runway 7/25 & 18/36, segmented circle & windcone and beacon	318,250	8,375	8,375	335,000
Mackinac Island Mackinac Island	ALP update; perimeter fencing Phase I	150,000	7,895	0	157,895
Sawyer International Marquette	Rehabilitate Runway 1/19, Taxiways A, B & connectors Phase 2	1,000,000	26,316	26,316	1,052,632
Twin County Menominee	Crack sealing Taxiways A, B, E, F & Rwy 14/32; SRE motor grader	150,000	3,947	3,948	157,895
Jack Barstow Midland	Fuel farm expansion	192,000	5,052	5,053	202,105
Muskegon County Muskegon	Improve Rwy 14/32 safety areas, Phase III; ARFF relocation; land acquisition reimbursement (parcel 271)	3,643,250	95,875	95,875	3,835,000

Luce County Newberry	Install Jet A fuel facility; construct box hangar	209,908	5,524	5,524	220,956
Oakland/Southwest New Hudson	Supplemental transfer for environmental assessment (phase I contamination assessment for land acq & wetland delineation associated w/parallel twy)	12,640	2,765	395	15,800
Jerry Tyler Memorial Niles	Design for the installation of new fuel facility	24,000	5,250	750	30,000
Presque Isle County Rogers City	Partial parallel taxiway & hangar access road	150,000	3,947	3,948	157,895
MBS International Saginaw	Terminal bldg (design, land acquisition, utilities & site prep); Navaid relocation; wetland mitigation	4,496,566	118,330	118,331	4,733,227
Mackinac County Saint Ignace	Update Exhibit A; land acquisition (parcel E15) for Rwy 7 approach protection	42,400	9,275	1,325	53,000
Mackinac County Saint Ignace	Install new fuel facility	198,202	5,216	5,216	208,634
Chippewa County Intl. Sault Ste Marie	Rehabilitation of Taxiways E & C, incl lighting; electrical vault improvements	1,183,430	31,143	31,143	1,245,716
Statewide	Paint marking & crack sealing	0	50,000	50,000	100,000

Mr. Baker noted that the various entries for paint marking and crack sealing are all federally funded projects. The state augments this funding through a program which does two things; it allows airports that qualify for federal funding to get the funding they need, and it allows for bid letting of a much larger project at a better price.

With the Chair's concurrence, Director Abent related that the paint marking and crack sealing program had been suspended these past few years due to a lack of revenue. This year, after examining open/old accounts, additional funds were identified; and after consulting with the Michigan Association of Aviation Executives, it was determined that this particular program should be resurrected. A review will be made again at the end of the fiscal year to determine whether funding is available to continue the program next year.

Statewide	Pavement condition index contract, Phase III	0	160,000	0	160,000
Dr. Haines Municipal Three Rivers	Construct taxiway to west industrial park	440,000	96,250	56,680	592,930
Cherry Capital Traverse City	Master plan update; PE & EA for Rwy 10/28 extension; perimeter road; PE for relocation of ILS glideslope antenna, MALSR & PAPI for Rwy 28 extension	1,021,250	26,875	26,875	1,075,000
Totals		67,310,836	1,750,224	7,849,987	76,911,047

The Chair opened the floor for questions on all other projects. Hearing none, she entertained a motion to approve the 38 projects presented.

Whereupon it was moved by Commissioner Collins, with support from Commissioner Adams, to approve the transfer of funds for the 38 projects described by Mr. Baker. MOTION CARRIED.

The Chair asked Mr. Baker to continue with supplemental transfers.

Mr. Baker identified two supplemental transfers approved since the meeting held January 30, 2008, in accordance with Commission Policy on Supplemental Transfers adopted in January 2001:

Alma, Gratiot Community: An increase of two tenths of one percent (.2) in federal/state/local funds has been approved to cover the higher than anticipated costs associated with pavement grooving of runway 9/27. The original project cost of \$521,979 has been increased by \$1,100, bringing the total project cost to \$523,079.

Mason, Mason-Jewett Field: A 10.5 percent increase in federal/state/local funds has been approved to cover the cost of rehabilitating a portion of the existing taxiway. The original project cost of \$876,240 has been increased by \$91,753, bringing the total project cost to \$967,993.

No official action is required on the supplemental transfers.

The Chair called on Linn Smith, Airports Division, who was asked at the meeting in January to update the Commission on the issue of wind turbines and the bureau's role in protecting the airspace surrounding public-use airports.

## II. DISCUSSION

### Wind Turbines

With the aid of PowerPoint, Mr. Smith reported that the number of permit requests for wind turbines has dramatically increased. In 2001, the bureau processed 21 permits. Since then, the number has been steadily climbing. The bureau processed 114 permit requests in 2007. Not all permits resulted in construction. One very large-scale project occurred in Huron County in 2007, near Pigeon. The turbines, 31 in all, are on line and feeding the grid. They are very large - approximately 389 feet from the base to the tip of the blade. The blades themselves are 150 feet long. Mr. Smith proclaimed the construction of the turbine an engineering marvel.

He reported that members of an airspace review team had conducted a site visit back in January to Ubly, Michigan, the proposed site of 30 plus turbines. Permits for their construction were first issued in 2005 and '06, but those permits lapsed. Developers involved in the project are currently rewriting their airspace study and tweaking the design of the turbines. The first turbine prop, built in Pigeon, was an accelerated project funded by a private investor, the John Deere Corporation.

Mr. Smith stressed that the Aeronautics Bureau continues to regulate airspace in Michigan, whether it involves wind turbines, cell phone or water towers; and that four regulations apply: FAA Part 77; the Michigan Tall Structures Act; the Airport Zoning Act; and the Michigan Zoning Enabling Act. Mr. Smith expounded on each of the regulations. He observed that the many airport protection plans the Commission has been acting on fall within the Michigan Zoning Enabling Act. The bureau plays a major role with respect to airspace protection and works to increase public awareness of the zoning laws by attending public events and speaking to groups around the state. In addition, staff provide assistance in the completion of applications for permits.

The Chair entertained questions of Mr. Smith.

Commissioner Adams queried whether these turbines would be located in areas of low population density and minimal cell phone towers.

Mr. Smith replied that the bureau has been working with the cell phone companies since day one. He observed that cell phone tower applications follow the economy. Since 2001, the bureau has processed over 2000 airspace permit applications, the majority relating to cell phone towers; however, the same regulations apply to both wind turbines and cell phone towers. If a variance to a regulation is required, the public is allowed to weigh in on the variance.

Follow-up discussion ensued on the economics of wind turbines and the savings that can be realized through the use of refurbished generators as opposed to new. Turbines have been in use

in Europe for over 10 years. During the visit to Huron County, staff observed three turbines that were used to power schools. Refurbished turbines are relatively inexpensive compared to new and they have a greater return on investment.

To a question from Commissioner Hank regarding the total number of turbines constructed, Mr. Smith responded that 31 have been constructed on a large scale, and two are in operation in Mackinac County. The total number of small turbines is unknown, as most would be under 200 feet high; that unless they break a 1/100 slope, they would not require a permit from the bureau. He added that Huron County alone has the capacity for upwards of 900 wind turbines. Another 40 are anticipated yet this year.

Commissioner Fedewa referenced a wind turbine farm, constructed some years ago, that is now in disrepair. He reported that a second wind farm had been constructed subsequently, adjacent to the first, yet the old turbines remain. He queried whether there are requirements relative to the condition of the turbines.

Mr. Smith clarified that the Michigan Tall Structures Act requires that the structure be permitted; that once it is no longer in use, the Commission can order the owner to tear it down. The same applies to cell phone towers. To get a wind turbine approved at the local level now requires a large bond, which is held for 10 years. If a company goes out of business, the local government can use that bond money to recover removal costs. Bonds are not required at the state level.

Referencing budget meetings held in 2007, Commissioner Fedewa reported that one of the agreements reached during the meetings had to do with streamlining the state's permitting process to aid companies relocating to Michigan. Representatives of every department participated in the development of a new online permit procedure. He observed that the DNR's permit process, by comparison, was smooth and efficient.

Commissioner Hank added that a statewide committee has been charged with creating a website for one-stop shopping. New businesses will be able to log on to the site, register their business, and apply for all the permits they need on one site.

There being no further questions, the Chair thanked Mr. Smith and underscored the need to remain proactive on zoning issues. She opened the floor for Public Comment.

#### IV. PUBLIC COMMENT

There being no requests for comment, the Chair called on Director Abent to provide the "Director's Report."



## V. REPORTS

### MAC Director's Report

Director Abent briefed the Commissioners on recent and upcoming events, the state budget, and the federal reauthorization, paraphrased as follows:

Staff of the bureau, as well as Chair Joyce Woods, participated in the Great Lakes International Aviation Conference, held February 1-2 in Novi.

The annual Michigan Airports Conference, co-hosted by the Michigan Association of Airport Executives, was held in East Lansing, also in February. It provided a tremendous networking opportunity with our aviation partners.

Director Abent noted that he and Mr. Hammond attended the National Association of State Aviation Officials' Legislative Conference held in Washington, D.C., and met with staff of Michigan's Congressional delegation and others. Mr. Hammond participated in a block grant workshop.

Future leaders of the department participated in the annual MDOT Leadership Conference, held March 19, in Dearborn.

The first meeting of the Transportation Funding Task Force (TF2) was held on March 7. Director Abent thanked Jim Koslosky, Executive Director, Gerald R. Ford International, for serving on the Aviation Subcommittee and Former MAC Director Bill Gehman, in absentia, for chairing same. The Citizens' Advisory Committee, a subcommittee of the TF2, held its first meeting on March 20.

Upcoming events: SEMCOG University. The Southeast Michigan Counsel of Governments will be holding a virtual university event on the Planning of Airports: An Integrated Approach, on April 22. Mr. Hammond and Mr. Lindsay have been invited to speak on the MASP 2008.

The Bureau of Aeronautics and Freight Services will hold a bureau-wide meeting at the end of April.

The 15<sup>th</sup> Annual Aviation/Aerospace Teacher Workshop, titled "The Sky's the Limit," will be held on Saturday, May 17, at the Kalamazoo Air Zoo – a first for this exciting event. Director Abent invited all to attend.

The FAA will be holding a State Aviation Directors' workshop in May. Director Abent plans to participate in this event.

With regard to the state budget, the Governor's 2008 Capital Outlay Appropriations, which recommended \$183 million in federal/state/local funds for airport infrastructure, is still being deliberated by the Joint Capital Outlay Subcommittee. On February 21, a number of airport executives testified before the committee and requested that the bill be moved forward with all haste. The committee appears hesitant to move the legislation until issues relating to the universities and community college building appropriations are resolved. Resolution of those issues does not appear to be imminent. He thanked Mr. Koslosky and Ms. Avery for their compelling testimony at the hearing. Based on that testimony, and in response to a lack of movement by the Joint Capital Outlay Subcommittee, the Senate, on March 20, bypassed the Joint Capital Outlay Subcommittee and adopted Sen. Bill 551, which includes appropriations for aeronautics and other restricted fund activities and moved the bill to the House of Representatives. It is not clear when the House will act on the issues of capital appropriations.

With respect to the FAA/AIP reauthorization, Director Abent shared information which he attributed to Dr. Stephen Van Beek, President and CEO of the Eno Transportation Foundation, whom he consulted on the recent trip to Washington.

Vision 100, the most recent federal authorization, has been extended until June 30, 2008, with contract authorization for 74.2 percent of anticipated funding. These are the operational constraints the bureau is working under at present.

AIP funding levels, pursuant to House and Senate agreement, include marginal increases in the overall AIP levels, from \$3.8 to \$4.1 billion over the course of the potential reauthorization, or a \$1.1 billion increase over the President's recommendation for the same period. The House passed its version of the bill on September 20, 2007.

Director Abent highlighted the issues and controversies delaying passage; i.e., passenger facility charges. The House would increase this fee to \$7.00 (currently at \$4.50). Senate drafts do not include an increase. The FAA funding dispute is a major hurdle to passing the bill in the Senate, with the Senate insisting on a new \$25 fee for filing a flight plan. This concept is endorsed by commercial aviation operators. The House, some Senate members, and the general aviation community are opposed. Until these sorts of issues can be reconciled or a compromise reached, passage of a bill is unlikely. If a bill is not signed into law in 2008, the process will begin again in 2009, with all legislation being reintroduced in the new Congress. Unfortunately, he stated, it is not a very optimistic picture. A bill this year is unlikely but still possible. The bureau is moving forward as if a full year's funding is in place and hopes that will be the case. Another extension of Vision 100 is not out of the question.

Director Abent entertained questions. No questions were posed.

The Chair announced that the next regular meeting of the Aeronautics Commission would be on Wednesday, May 28, at 10:00 a.m. She declared the meeting adjourned.

The March 27, 2008 Aeronautics Commission meeting concluded at approximately 11:10 a.m.

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Director

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Chairman

Dated: \_\_\_\_\_